

REMARKS

Summary of the Office Action.

Claims 1-34, 36-49, 57, and 63-78 are pending in this application.

These claims have been rejected under 35 U.S.C. 103(a) as being obvious from Bertagna et al. U. S patent No. 5,057,677 ("Bertagna") in view of one or more U.S. Patents: claims 1, 2, 10, 13, 14, 16-18, 31, 33, 39, 43, 44, 47, 48, 57, 64,-67, 69, 72, 73, 75, and 76 in view of Sherman et al. U.S. Patent No. 6,189,788 ("Sherman"); claims 3-5 and 38 in view of Sherman, and further in view of Miller U.S. Patent No. 5,202,825 ("Miller"); claims 6 and 40 in view of Sherman, and further in view of Swartz et al. U.S. Patent No. 5,594,228 ("Swartz"); claims 7, 8, 11, 12, 20, 21, 23, 24, 28, 29, 32, 34, 36, 41, 42, 68, 70 and 77 in view of Sherman, and further in view of Modiano et al. U.S. Patent No. 5,670,768 ("Modiano"); claims 9 and 46 in view of Sherman, and further in view of Postrel et al. U.S. Patent No. 6,003,008 ("Postrel"); claims 15, 37 and 71 in view of Sherman, and further in view of Ju U.S. Patent No. 5,811,774 ("Ju"); claims 19, 49 and 78 in view of Sherman, and further in view of Talati et al. U.S. Patent No. 5,903,878 ("Talati"); claims 22 in view of Sherman and Modiano, and further in view of Ju; claim 25 in view of Sherman and Modiano, and further in view of Miller and Swartz; claim 26 in view of Sherman, and Modiano, and further in view of Bernard et al. U.S. Patent No. 5,918,213 (Bernard"); claim 27 in view of Sherman, and Modiano, and further in view of Postrel; claim 30 in view of Sherman and Modiano, and further in view of Talati; claims 45 and 74 in view of Sherman, and further in view of Bernard; claim 63 in view of Sherman, and further in view of Saliga U.S. Patent No. 5,397,884 ("Saliga").

The Examiner finds applicants' arguments filed December 01, 2004 unpersuasive.

Applicants' Reply

Applicants have amended the claims for clarity. Applicants respectfully traverse the prior art rejections.

Claim 63

As previously noted, claim 63 relates to method for making functions available to mobile radio terminal users. The method involves the steps of "receiving" user-specific identification data at the radio terminals and "radio communicating" the user-specific identification data from the terminal to a host processor. In response, the host processor determines authorized functions that can be made available to the particular user. A list of authorized functions is communicated via radio to the terminal where the user can select to activate certain functions from the authorized list of functions. The host processor activates the selected functions at the terminal.

Claim 63 has been rejected as being obvious to one of ordinary skill in the art in view of the combination Bertagna, Sherman and Saliga. The Examiner notes that Bertagna and Sherman disclose a tendering station but fail to teach or suggest that the tendering station determines an authorization hierarchy. Further, the Examiner states that Saliga teaches a key containing an access code, which determines the level of accessing levels (e.g., a maintenance managerial level, etc.). The Examiner concludes that a person of ordinary skill in the art would obviously implement the "well known hierarchal access control mode" in "the portable system" of Bertagna/Sherman. (Office Action section 17 page 15).

Applicants respectfully disagree with Examiner's conclusions regarding claim 63. Claim 63 clearly relates to a method for controlling functions available to users of "mobile terminals" in response to "user specific identification data" entered on the mobile terminals. Further, the mobile terminal user can choose "activation" of particular functions from a list of radio-communicated functions that are authorized in response to the user-specific identification. The only mobile components in Saliga are the "room keys" issued to hotel guests. The functions available to the hotel guests are predetermined by Saliga's "fixed" host computer/controller (32)

and not by the users of "mobile" room keys (i.e. hotel guests). Access to the "fixed" host computer/controller (32) is controlled by Saliga's scheme of desk clerk/hotel manager passwords (which are input at the fixed host computer/controller ) and not by the hotel guest (mobile terminal user) to whom the key is issued.

Applicants note that Saliga does not teach "keys" that can be configured remotely. In Saliga, key (44) has to present at the "fixed" host computer/controller (32) for access configuration. Applicants further note that the portion of Saliga (i.e., key 44, FIG. 1 and col. 6 lines 17-57) cited in the Office Action (See Office Action section 17) relates to "static" keys in which access codes are pre-programmed by the hotel clerk/manager. Further, Saliga's access code configurations are not initiated by data input at the keys. Saliga's keys do not have any means for data input by the "mobile" room key users (i.e., hotel guests) as required by claim 63. Further, unlike claim 63, Saliga does not involve using radio communications to transmit hotel guest identification directly from the issued key to a host computer, or involve a host computer which in response to user-specific identification data (received via radio) transmits a list of authorized functions to the terminal for selective activation by the user.

Thus, the elements of claim 63 are not shown, taught or suggested by the cited references even if they are viewed in combination.

In particular, the cited prior art does show teach or suggest the method steps of (1) receiving identification data specific to said user on said mobile terminal and communicating said identification data to said host processor via wireless radio; (2) operating said host processor to hierarchically determine authorized functions . . . using said identification data received via wireless radio (3) communicating a message using radio data communication to said terminal identifying available authorized functions; and (4) operating said host processor to provide user selected ones of said authorized functions to said terminal.

Therefore, applicants respectfully submit that Examiner's finding of obviousness (Office Action, section 19 page 17) is based on impermissible hindsight reconstruction.

Applicants request that the rejection of claim 63 be withdrawn.

Claims 1-34, 36-49, 57, and 63-78

As previously noted, claims 1-34, 36-49, 57, and 63-78 are directed toward applicants' inventive tendering service stations or computer systems that include, for example, movable housing/stations and detachable terminals which are in radio communication with a remote computer.

In particular, the elements of independent claims 1, 31, 57, 64 and 65 include at least (1) a movable housing, (2) a detachable "input" terminal having a wireless radio device for communicating with an external central computer, (3) a magnetic stripe-card reader whose readings are communicated to the external central computer, and (4) a peripheral device (e.g. an user interface I/O device) which is useful for conducting or completing retail transactions. As previously noted, the cited references Bertagna and Sherman, whether taken individually or in combination, do not show all the features of the applicants' inventive tendering service stations or systems.

For example, neither Bertagna nor Sherman show a tendering or service station which include "a magnetic stripe card reader" in communication with an external computer via a wireless radio arrangement.

Therefore, applicants respectfully submit that the Examiner's finding of obviousness (Office Action, section 19 pages 16-17) is based on impermissible hindsight reconstruction. Accordingly, applicants request that the rejection of claim 1-34, 36-49, 57, and 63-78 be withdrawn.

Conclusion

The foregoing demonstrates that claims 1-34, 36-39, 57, and 63-78 are in condition for allowance. Reconsideration and allowance of this application are respectfully requested. If there are any remaining issues to be resolved, applicants request that the Examiner kindly contact the undersigned attorney for a telephone interview in order to advance the prosecution of this case.

Respectfully submitted,

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